

DOCKET NO.: TJU-2414



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Scott A. Waldman, Jason Park and Stephanie Schulz

Serial No.: 09/819,254

Group Art Unit: 1642

Filed: March 27, 2001

Examiner: N. Davis

For: **COMPOSITIONS AND METHODS FOR IDENTIFYING AND
TARGETING CANCER CELLS OF ALIMENTARY CANAL ORIGIN**

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DATE OF DEPOSIT: December 28, 2001

Assistant Commissioner
for Patents
Washington, D.C. 20231

Dear Sir:

REPLY

This Reply is being filed in response to the Official Action dated October 30, 2001 for the above-identified patent application. The period to respond is extended by petition and payment of the appropriate fee provided herewith.

Claims 1-33 are pending in the application.

Claims 1-33 have been subject to a restriction requirement.

Applicants elect Group III, claims 25-32 for examination at this time.

The Official Action indicates that if Applicants elect any one of Groups I, II or III

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an election of species is further required. The three species listing in the Official Action are A) detection of gene transcription product; B) PCR and C) immunoassay.

Applicants provisionally elect Species B, PCR and respectfully request reconsideration of the election of species requirement in view of the following. Applicants respectfully urge that Species B, PCR is a subspecies of Species A, detection of gene transcription product. PCR analysis provides on type of assay which can be used to detect a gene transcription product.

Claims 25-32 are in allowable form. An indication of allowability of earnestly solicited.

Respectfully submitted,



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Date: 12-28-01

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